<u>REMARKS</u>

The Declaration has been deemed defective. A new
Declaration with the application number, filing date and
corrected filing date for the priority provisional application
will be submitted under separate cover as soon as possible.

Claims 1, 2, 4, 10-12, 14, 20-22, 24 and 30 presently stand
rejected under 35 U.S.C. §102(e) as being anticipated by Yasukawa
et al. (U.S. Patent 7,047,550 B1).

With regard to Claims 1, 11 and 21, the Examiner states that
Yasukawa explicitly discloses allowing the user to multi-click
the object or cell (#109) and for each click by the user,
changing the program information display item 109 with the
multiple programming information. The Examiner further asserts
that since Yasukawa shows, for example, three programming
information data overlaid upon one another (see #109 and "zoomed"
version of the cell in Figure 19), the Office interprets that
such selection can be performed at least 3 times, in this
example, which overcomes Applicant's "at least more than two
times" limitation. With regard to Claim 11, the Examiner states
that Yasukawa discloses the system comprising program information
retrieval means, time zone detection means and program table
display means which the Office interprets as functionally
equivalent to the "units" of Applicant's claim. With regard to
Claim 21, the Examiner asserts that Yasukawa discloses the system
functioning in a client/server environment (see Figure 48), or a
computing environment, which inherently comprise such elements.

In support of the foregoing, the Examiner states that the Office interprets an "attribute" of the object functionally equivalent to the textual content of the object. Importantly, however, the Examiner acknowledges that Yasukawa discloses only changing the text, not attributes of the object as such term is interpreted in accordance with the teachings of the present invention. Indeed, changing the text misses the importance of the present invention that is directed to progressively changing the visual attribute each time the object is selected so that the user can visually see that the object has been previously selected one or more times. Merely changing the text of the object does not provide the progressively visual changing of the attribute since changing merely the text would require the user to remember the text of the previous selection of the object. In contrast, Applicants' invention of progressively changing the non-textual attribute upon selection of each object immediately provides a graduated visual indication of the number of times the particular object was previously selected. No effort on the part of the user to have memorized what text was previously viewed, is required.

Nevertheless, in order to clarify the claim language in response to the misplaced interpretation what was meant by the term "attribute", Applicants have amended Claims 1, 11 and 21 to be limited to non-textual attributes that progressively change upon each selection of the object. Therefore, the Section 102 rejection is respectfully traversed and reconsideration is respectfully requested.

With regard to Claims 2, 11 and 22, the Examiner states that
Yasukawa discloses all of the claim limitations as applied and
explicitly discloses an embodiment wherein the programming
information is modified with a color highlighting.
The Examiner further asserts that Yasukawa teaches color
highlighting of the text. In response, Applicants have amended
such claims to recite that the color is progressively changed
upon each selection of the object – thereby distinguishing away
from mere highlighting of text. The rejection of such claims is
therefore respectfully traversed and reconsideration is
respectfully requested.

With regard to Claims 4, 14 and 24, the Examiner states that
Yasukawa discloses all of the claim limitations as applied to
claims 1, 11 and 24 respectively and allows the user to multi-
click the object or cell (#109) and for each click by the user,
changing the program information display item 109 with the
multiple programming information, this changing of information
thus creating a "page flipping" view. The Examiner further
states that the Office interprets Yasukawa to inherently disclose
modifying a 3D position attribute of the object.

As noted above, this rejection is based upon a
misinterpretation of the term "attribute". Nevertheless,
Applicants have amended such claims to more clearly recite the
depth of the 3D attribute, thereby distinguishing Yasukawa. The
rejection of such claims is therefore respectfully traversed and
reconsideration is respectfully requested.

The Examiner states that with regard to Claims 10, 20 and 30, Yasukawa discloses all of the claim limitations as applied to Claims 1, 11 and 21 respectively above. The Examiner states that Yasukawa explicitly discloses allowing the user to multi-click the object or cell (#109) and for each click by the user, changing the program information display item 109 with the multiple programming information. Applicants have canceled these claims and therefore their rejection is moot.

Claims 8, 9, 18, 19, 28 and 29 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yasukawa. Applicants have canceled these claims and therefore their rejection is moot.

Claims 3, 13 and 23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yasukawa in view of Bedard. The Examiner states that it would have been obvious to one skilled in the art to implement the program information object shape changing of Bedard with the EPG object manipulation techniques of Yasukawa in order to maximize the display of EPG data while meeting the limitations of the television screen's resolution.

However, it is respectfully urged that Yasukawa teaches a flipping of text upon selection. Therefore, there is no teaching, suggestion or motivation in Yasukawa (or in Bedard) for the claimed combination. Further, the combination of Yasukawa with Bedard would teach away from the claimed invention because the combination would still require the user to remember the text of prior selections of the object. Therefore, it is respectfully urged that such combination would actually teach away from the claimed invention. As such, a prima facie showing of obviousness

under Section 103 has not been set forth. The rejection of such
claims is therefore respectfully traversed and reconsideration is
respectfully requested.

Claims 5-7, 15-17 and 25-27 stand rejected under 35 U.S.C.
103(a) as being unpatentable over Yasukawa in view of Wilcox.
The Examiner states that Yasukawa discloses all of the claim
limitations as applied to claims 1, 11 and 21 respectively above
but does not explicitly disclose overwriting the attribute with a
default attribute when an expiration value limit is reached. The
Examiner states that Wilcox discloses a collection of on-screen
interface components arranged in combination to provide an easy
to use computer interface and an overview of the execution of the
user interface which includes detecting if a user has depressed a
key and if not noting a "timeout" situation and performing
certain processing in turn. The Examiner states that it would
have been obvious to one skilled in the art to implement the
interface processing of Wilcox with the EPG data user
modifications of Yasukawa in order to properly handle user input
in an interface by detecting user activity and displaying or not
displaying certain data, creating an intuitive interface.

However, it is respectfully urged that since Yasukawa
teaches a flipping of text upon selection, there is no teaching,
suggestion or motivation in Yasukawa for the claimed combination
with Wilcox. Further, the combination of Yasukawa with Wilcox
would teach away from the claimed invention because the
combination would still require the user to remember the text of
prior selections of the object. Therefore, it is respectfully

urged that such combination would actually teach away from the claimed invention. As such, a prima facie showing of obviousness under Section 103 has not been set forth. The rejection of such claims is therefore respectfully traversed and reconsideration is respectfully requested.
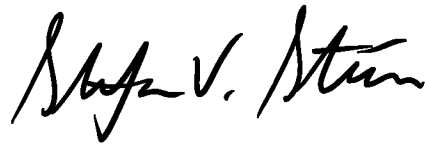
With regard to Claims 6, 16 and 26, the Examiner states that Yasukawa and Wilcox disclose all of the claim limitations as applied to Claims 5, 15 and 25. The Examiner further asserts that Wilcox discloses an overview of the execution of the user interface which includes detecting if a user has depressed a key and, if not, noting a "timeout" situation and performing certain processing in turn. Lastly, the Examiner states that the "expiration value" of Applicant's claims is seen as functionally equivalent to a certain time value inherently disclosed in the "time out" of Wilcox. However, it is respectfully urged that such claims are allowable as being dependent on their respective independent claims believed to be allowable as noted above. The rejection of such claims is therefore respectfully traversed and reconsideration is respectfully requested.

With regard to Claims 7, 17 and 27, the Examiner states that Yasukawa and Wilcox disclose all of the claim limitations as applied to claims 5, 15 and 25, respectively above and further states that Wilcox also discloses a menu interface element which is arranged in a circular form. The Examiner states that the Office believes that the "circular form" menu of Wilcox inherently returns to a default or first menu item when the user has scrolled through all of the menu items or the max number of

menu items. However, it is respectfully urged that such claims are allowable as being dependent on their respective independent claims believed to be allowable as noted above. The rejection of such claims is therefore respectfully traversed and reconsideration is respectfully requested.

All grounds of objection and rejection having been overcome by the amendments hereinabove, reconsideration and a Notice of Allowance is respectfully requested.

Respectfully submitted,

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